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*Lead Counsel for the Indirect-Purchaser Plaintiffs*

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION

) Master File No. 3:07-cv-5944 SC

) MDL No. 1917

) This Document Relates to:

) Indirect-Purchaser Class Action

) **[PROPOSED] ORDER REGARDING**

) **INDIRECT PURCHASER PLAINTIFFS'**  
) **NOTICE OF MOTION AND MOTION**  
) **IN LIMINE NO. 9:**

) **TO PRECLUDE REFERENCE TO OR**  
) **ARGUMENT ABOUT PLAINTIFFS'**  
) **FAILURE TO MITIGATE DAMAGES**

**[PROPOSED] ORDER**

Upon consideration of Indirect Purchaser Plaintiffs' ("Plaintiffs") Motion *In Limine* No. 9 to preclude reference to or argument about Plaintiffs' failure to mitigate damages, it is hereby

ORDERED that the motion is GRANTED, and at trial, Defendants shall be precluded from referring to, introducing any evidence of, or making any arguments about, Plaintiffs' purported failure to mitigate their damages.

Dated:

\_\_\_\_\_  
The Honorable Samuel Conti  
United States District Judge  
Northern District of California